

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NATIONWIDE AFFINITY	:	CIVIL ACTION
INSURANCE CO. OF AMERICA,	:	
<i>Plaintiff,</i>	:	
	:	
v.	:	No. 19-2119
	:	
JESSICA FONG, <i>et al.</i>,	:	
<i>Defendants.</i>	:	

ORDER

AND NOW, on this 28th day of April 2020, upon consideration of Plaintiff's Motion for Summary Judgment (ECF No. 13), Defendants' Motion for Summary Judgment (ECF No. 15), Plaintiff's Response (ECF No. 16), and oral argument held on February 4, 2020, and in accordance with the accompanying Memorandum, it is hereby **ORDERED** that **Plaintiff's Motion for Summary Judgment (ECF No. 13) is GRANTED** and **Defendants' Motion for Summary Judgment (ECF No. 15) is DENIED**.

Accordingly, the Court finds that the Regular Use Exclusion contained within Nationwide Auto Policy 5837E 164433 is applicable, and Jessica Fong is precluded from recovering underinsured motorists benefits in relation to the October 31, 2017 motor vehicle accident under that policy.

All matters having been disposed of, the Clerk of Court is directed to **CLOSE** this matter.

BY THE COURT:

/s/ Chad F. Kenney

CHAD F. KENNEY, J.